

# EXHIBIT 9

**ASSIGNMENT OF DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS AND  
SECURITY AGREEMENT**

RIALTO MORTGAGE FINANCE, LLC, a Delaware limited liability company  
(Assignor)

to

RMF SUB 1, LLC, a Delaware limited liability company  
(Assignee)

County of Harris  
State of Texas

DOCUMENT PREPARED BY AND WHEN RECORDED, RETURN TO:

McCoy & Orta, P.C.  
100 North Broadway, 26<sup>th</sup> Floor  
Oklahoma City, Oklahoma 73102  
Telephone: 888-236-0007

RP-2017-117834

## **ASSIGNMENT OF DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS AND SECURITY AGREEMENT**

RIALTO MORTGAGE FINANCE, LLC, a Delaware limited liability company, having an address at 600 Madison Avenue, 12th Floor, New York, NY 10022, ("Assignor"), as the holder of the instrument hereinafter described and for valuable consideration hereby endorses, assigns, sells, transfers and delivers to RMF SUB 1, LLC, a Delaware limited liability company, having an address at 600 Madison Avenue, 12th Floor, New York, NY 10022, ("Assignee"), its successors, participants and assigns, without recourse or warranty, all right, title and interest of Assignor in and to that certain:

DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS AND SECURITY AGREEMENT made by KORNBLUTH TEXAS, LLC, a Texas limited liability company to Assignor dated as of October 21, 2016 and recorded on October 25, 2016, as Instrument Number RP-2016-481294 in the Recorder's Office of the County Clerk of Harris County, Texas (as the same has heretofore been amended, modified, restated, supplemented, renewed or extended), securing payment of note(s) of even date therewith, in the original principal amount of \$8,350,000.00, and creating a first lien on the property described in Exhibit A attached hereto and by this reference made a part hereof.

Together with any and all notes and obligations therein described, the debt and claims secured thereby and all sums of money due and to become due thereon, with interest provided for therein, and hereby irrevocably appoints Assignee hereunder its attorney to collect and receive such debt, and to foreclose, enforce and satisfy the foregoing the same as it might or could have done were these presents not executed, but at the cost and expense of Assignee.


Together with any and all other liens, privileges, security interests, rights, entitlements, equities, claims and demands as to which Assignor hereunder possesses or to which Assignor is otherwise entitled as additional security for the payment of the notes and other obligations described herein.

This Assignment shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

[SIGNATURE(S) ON THE FOLLOWING PAGE]

3 IN WITNESS WHEREOF, the Assignor has caused this instrument to be executed this day of January, 2017.


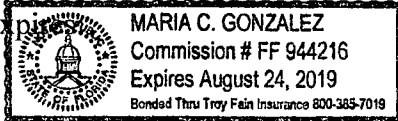
RIALTO MORTGAGE FINANCE, LLC, a  
Delaware limited liability company

By:   
Name: Marshall Van Smith  
Title: Authorized Signatory

STATE OF FLORIDA           §  
  §  
COUNTY OF MIAMI-DADE   §

On the 3 day of January, 2017, before me, the undersigned, a Notary Public in and for said state, personally appeared Marshall Van Smith, personally known to me ~~or proved to me on the basis of satisfactory evidence~~ to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity as Authorized Signatory of Rialto Mortgage Finance, LLC, a Delaware limited liability company, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

  
Name of Notary Public  
My Commission Expires 

MARIA C. GONZALEZ  
Commission # FF 944216  
Expires August 24, 2019  
Bonded Thru Troy Fain Insurance 800-365-7019

EXHIBIT A  
LEGAL DESCRIPTION

Fee Parcel

Tract 1:

Unrestricted Reserve "C", Block 1, of One Bay Area Plaza, Harris County, Texas recorded under Film Code Number 612277 of the Map Records of Harris County, Texas; and

Easement:

TOGETHER WITH easement described in Easement Agreement, dated December 21, 2006, executed by and between Bay Area 4.5, Ltd., and Webster Hotel, LLC., as set forth in instrument(s) recorded at Harris County Clerk's File No. 20060296799 corrected by 20080242828 of the Real Property Records of Harris County, Texas. As shown and noted on survey prepared by Prime Texas Surveys, dated September 30, 2016; Job No. 161190.

TOGETHER WITH easement described in Easement Agreement, dated dated December 6, 2007, executed by and between Bay Area 4.5, Ltd., and Webster Hotel, LLC., as set forth in instrument recorded at Harris County Clerk's File No. 20070727577 of the Real Property Records of Harris County, Texas and ratified by Narendra Maran, as set forth in Ratification of Plat and Easement Agreement recorded under Clerk's File No. 20080242827 of the Real Property Records of Harris County, Texas. As shown and noted on survey prepared by Prime Texas Surveys, dated September 30, 2016; Job No. 161190.

RP-2017-117834  
# Pages 5  
03/21/2017 09:20 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$28.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically  
and any blackouts, additions or changes were present  
at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or  
use of the described real property because of color or  
race is invalid and unenforceable under federal law.  
THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in  
File Number Sequence on the date and at the time stamped  
hereon by me; and was duly RECORDED in the Official  
Public Records of Real Property of Harris County, Texas.



*Stan Stanart*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

RP-2017-117834